IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 2027 of 2007(S)

MC.12/2007 of FAMILY COURT,KOLLAM
.....

PETITIONER:
---

1. ASIFA (MINOR), AGED 3 YEARS,
REPRESENTED BY HER FATHER ANWER SADATH,
AGED 34 YEARS, PERUBALATHU VEEDU, ALIAS
CLAVARATHARAYIL VEEDU, VENKULANGARA NAGAR,
KAVANAD, KOLLAM.

2. ANWER SADATH, AGED 34 YEARS,
PERUBALATHU VEEDU, ALIAS CLAVARATHARAYIL VEEDU,
VENKULANGARA NAGAR, KAVANAD, KOLLAM.

BY ADV. SRI.P.V.VENUGOPAL

RESPONDENTS:
---

1. JAWAHIRA BHANU, D/O.KHALID KUTTY,
RESIDING AT "KODIYIL PUTHEN VEEDU,
KADATHOOR MURI, THAZHAVA VILLAGE,
KARUNAGAPPALLY.

2. KHALID KUTTY, RESIDING AT "KODIYIL
PUTHEN VEEDU, KADATHOOR MURI, THAZHAVA VILLAGE,
KARUNAGAPPALLY.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & A.K. BASHEER, JJ.

- - - - - - - - - - - - - - - - - - - -

W.P.(C)NO.2027 OF 2007-S

- - - - - - - - - - - - - - - - - - - -

DATED THIS THE 17TH DAY OF JANUARY, 2007.

JUDGMENT

Kurian Joseph, J.

This writ petition is filed for the following relief:

> "To issue a writ of mandamus or any appropriate writ or order or direction in the nature of mandamus commanding the respondent by declaration that the 1st petitioner is eligible to be protected by safeguarding the life of the 1st petitioner by overcoming and meeting all medical expenses and to fulfill the duty as a father and more lovable affectionate than anyone else."

Though we spent quite some time, we are unable to comprehend what exactly is the grievance of the petitioners. Learned counsel for the petitioners submits that there is an oral direction by the Family Court to pay maintenance at the rate of Rs.500/- to respondent No.1. It is submitted that the invalid child is being looked after by the second petitioner and hence there is no point in granting any maintenance to the first respondent for maintaining the first petitioner. These are matters for the petitioners to bring to the notice of the Family Court. We are sure that if the case of the petitioners is properly pleaded and presented before the Family Court, the court will pass appropriate orders and if still they are aggrieved

by the orders thus passed by the Family Court, it will be open to the petitioners to pursue their remedies in appropriate proceedings.

Without prejudice to the above right, this writ petition is dismissed.

(Kurian Joseph, Judge.)

(A.K. Basheer, Judge.)

kav/